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Chair: Mr. Kováčik (Vice-Chair) ..... (Slovakia)

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In the absence of Mr. Saikal (Afghanistan), Mr. Kováčik (Slovakia), Vice-Chair, took the Chair.

The meeting was called to order at 10.05 a.m.

Agenda item 71: Rights of indigenous peoples

(a) Rights of indigenous peoples (A/73/137 and A/73/176)

(b) Follow-up to the outcome document of the high-level plenary meeting of the General Assembly known as the World Conference on Indigenous Peoples

1. **Ms. Tauli-Corpuz** (Special Rapporteur on the rights of indigenous peoples), introducing her report to the General Assembly (A/73/176), said that self-governance by indigenous peoples and the role of their own institutions must be protected and promoted in order to address the challenges they faced across the world. Numerous examples existed of indigenous self-governance systems agreed formally with States and recognized in their constitutions, legislation and policies.

2. Centuries-old systems regulated indigenous peoples' relationships with each other and their neighbours as well as with nature and the surrounding ecosystems. Predating colonization and the emergence of post-colonial nation-States, those systems included not only customary, oral and written laws but also dispute resolution and adjudication mechanisms that continued to operate in many indigenous communities. They embedded indigenous peoples' traditional world views, values, norms, laws and their concepts of authority and leadership. In recent decades, contemporary forms of institutions, including indigenous parliaments, councils and organizations, had also been developed, often in cooperation with States. The diversity of indigenous governance systems reflected the diverse cultures, histories and realities of indigenous peoples.

3. Many traditional indigenous governance systems had proven to be better than external actors at ensuring the well-being, peace, security and rights of indigenous peoples. For example, indigenous institutions played an important role in conflict prevention and dispute resolution. Traditional justice models effectively solved conflicts and provided access to justice in ways that respected both cultural diversity and human rights norms.

4. Indigenous self-governing systems also fostered conservation and the maintenance of biodiversity. Indeed, the overlap between the territories of indigenous peoples and high levels of biodiversity and healthy forests was becoming increasingly evident. Collective ownership and management of resources had been shown to contribute positively to conservation outcomes, such as preventing deforestation and loss of wildlife. Indigenous traditional knowledge and holistic views of community and the environment had also been recognized, notably by the Intergovernmental Panel on Climate Change, as a resource contributing towards climate change mitigation and adaptation efforts.

5. The right of indigenous peoples to govern themselves was well established in international human rights law and jurisprudence. However, in practice, coordination between indigenous and contemporary institutions of the State was challenging; that problem was compounded by the limited financial and human resources available to manage indigenous governance systems properly; the lack of control and ability to self-govern; and the need to ensure that indigenous governance systems were aligned with international human rights standards relating to issues such as gender equality and due process. She hoped that good examples of how such challenges had been tackled by Member States at the national level would be revealed during the ensuing dialogue and might be applicable to other contexts. Self-governance had also been a core concern for the other United Nations mechanisms on the rights of indigenous peoples. In 2019, she looked forward to coordinating with the Expert Mechanism on the Rights of Indigenous Peoples and the Permanent Forum on Indigenous Issues to enhance their combined knowledge about the role that indigenous peoples' own governance systems could play.

6. Her report to the thirty-ninth session of the Human Rights Council (A/HRC/39/17) contained an analysis of the worrying escalation of violence, criminalization, harassment and threats against indigenous peoples, particularly when they were defending and exercising rights to their lands, territories and resources. Such human rights violations often arose when indigenous leaders and community members voiced concerns over large-scale projects relating to extractive industries, agribusiness, infrastructure, hydroelectric dams and logging. Indigenous peoples seemed, once again, to have become prime targets of persecution. The rapidly intensifying competition over natural resources on their traditional lands and territories was driving that violence. Indigenous leaders and communities who objected to the negative impacts of large-scale projects on their rights, livelihoods and the environment were being targeted and killed, forcibly evicted, threatened and subjected to insidious harassment in the form of criminal charges, which were often nebulous, grossly

inflated or fictitious. The aim of such attacks, whether violent or legal, was to silence any opposition by indigenous peoples to business interests and to prevent them from exercising their rights.

7. She had also submitted a report to the thirty-ninth session of the Human Rights Council on the rules of international law relating to the human rights of indigenous peoples in voluntary isolation and initial contact in the Amazon and Gran Chaco (A/HRC/39/17/Add.1). Efforts to protect the territories and environment of those peoples must be intensified as a matter of urgency. States needed to develop and implement differentiated policies directed at peoples in initial contact, notably in the area of health, while at the same time refraining from actions that would affect their lands and territories.

8. Since her previous report to the General Assembly (A/72/186), she had conducted two official country visits: to Mexico and Guatemala. Both those countries had supported the advancement of the rights of indigenous peoples in the international arena and had promoted the adoption of the United Nations Declaration on the Rights of Indigenous Peoples and the establishment of her mandate. However, at the national level, both countries still faced serious challenges in implementing their commitments.

9. In Mexico, notwithstanding information concerning positive measures in the fields of health and education and in facilitating access to justice for indigenous peoples, she had observed a huge gap between the international commitments and the reality on the ground. Effective and coordinated action at the federal, state and municipal levels was needed to fulfil the rights of indigenous peoples to self-determination and to their lands, territories and resources, their political participation and access to justice. Urgent measures must also be taken to solve the problems of violence and insecurity as well as the poverty, marginalization and discrimination to which they were subject.

10. In Guatemala, indigenous peoples constituted the majority of the population but had never participated on an equal footing with other groups in the political, social, cultural and economic life of the country. She had witnessed the structural racism and discrimination to which they were subject in their daily lives, reflected in the lack of protection of their lands, territories and natural resources and in their difficulties in gaining access to justice, health, education and political participation. In spite of the overall growth in the national economy, inequality was increasing. Around 40 per cent of indigenous peoples in Guatemala still lived in extreme poverty and more than half of all indigenous children there were chronically malnourished.

11. She was extremely concerned about the rising levels of violence, forced evictions and the criminalization of indigenous peoples in both Mexico and Guatemala. In the latter, she had visited indigenous leaders in prison for defending their lands and was particularly disturbed by the killings of several indigenous leaders during and since her recent visit.

12. She had continued to share information with Governments and other actors concerning allegations of violations of indigenous peoples' rights globally. Since 2017, she had sent 48 communications to 19 States and other entities in relation to violations of a wide range of economic, social and cultural as well as civil and political rights. She looked forward to a constructive dialogue on the right of indigenous peoples to self-governance and how such governance could contribute to achieving sustainable development for all, including for indigenous peoples.

13. **Ms. Fangco** (Philippines), expressing concern that large-scale development projects and extractive industries undertaken in different parts of the world were fuelling attacks against indigenous communities, said that the free, prior and informed consent of the indigenous peoples whose lands, territories and natural resources would be affected must be sought. Her country believed that the ancestral domains and all the resources found there served as material bases of the indigenous peoples' cultural integrity. In her country, under the Indigenous Peoples' Rights Act, the State recognized such domains as private community property which belonged to all the generations to come and could not be sold, disposed of or destroyed. The free, prior and informed consent of indigenous communities was required before any plan, programme or activity could be implemented within their ancestral domains. That clearly included the right to reject any such activity.

14. In her country, indigenous self-governance was implemented through mechanisms for the mandatory representation of indigenous peoples. In keeping with their unique customary laws, practices and mechanisms, indigenous communities chose their representatives through selection and not election. The primacy of customary laws in all undertakings involving indigenous peoples was affirmed by existing legislation. The rights of indigenous peoples in the Philippines were taken fully into account in national development plans.

15. **Ms. Buist-Catherwood** (New Zealand) said that her country's electoral system guaranteed Maori representation in Parliament. Thus, indigenous people had an ongoing opportunity to participate in and

influence national decision-making on a range of issues. However, much remained to be done to enhance indigenous self-governance. The representation of Maori in local government had been more difficult to achieve. Greater representation of Maori as elected members of local government was important given their approaches to land and resource management, which had been built into domestic laws in New Zealand. For example, under existing legislation, the Whanganui River, or Te Awa Tupua, was recognized as a legal person with its own rights. Furthermore, a governance and management framework enabled several Whanganui iwi, or tribes, with genealogical connections to the river to participate in collective decision-making on the river's behalf. A bill was also under consideration for the Local Government Act to include the promotion of the social, economic, environmental and cultural well-being of communities.

16. The Government of New Zealand continued to focus on strengthening its relationship with Maori and intended to establish an agency to oversee its future work with that community. The new agency would work alongside the Maori Development Agency and other portfolio agencies to ensure that long-term domestic priorities for advancing indigenous well-being were achieved.

17. She would welcome any examples the Special Rapporteur could provide on how the rights and governance structures of indigenous people were being incorporated into national plans to implement the Sustainable Development Goals. New Zealand, for its part, would be taking into account Maori concepts of well-being and recognized Maori relational structures in the development of its own policies.

18. **Mr. Kashaev** (Russian Federation) said that his delegation was perplexed by the unverified information contained in the Special Rapporteur's report regarding the situation of indigenous peoples in the Russian Federation. His country was a federated State where many Russian ethnic groups had either a long or more recent history of self-governance within ethnic territories or administrative and territorial boundaries. They included four autonomous okrug, named after the indigenous persons that lived there. The constituent instruments of those entities defined the rights and the status of indigenous peoples and established the territory as their homeland. All the essential life issues of those peoples were regulated legislatively. Self-governance was assured through the creation of an indigenous representative assembly and council, as well as other advisory and deliberative bodies. Atypical forms of self-governance, such as local community leaders, were also governed by law. The Russian Federation had significant experience of fostering local self-governance at the national and municipal levels. Indigenous communities participated in the decision-making process whenever their interests were at stake. Self-governance was also authorized for indigenous minorities, including the Sami people.

19. In preparing her recommendations, the Special Rapporteur should take into account the specifics of countries with a multi-ethnic population and cooperate closely with the States that had authorized her mandate and bore the main responsibility for ensuring the rights of indigenous peoples.

20. **Ms. Nicholas-Mackenzie** (Canada) said that an inclusive approach to decision-making was consistent with the United Nations Declaration on the Rights of Indigenous Peoples. It required work to develop relationships, structures and understandings and was not simply a matter of obtaining approval on a given project. Obtaining free, prior and informed consent implied a process of relationship-building, based on substantive collaborative efforts, and must be underpinned by the recognition of indigenous rights, including the right to self-determination and the right of indigenous peoples to their lands, territories and resources.

21. Canada had conducted quantitative analyses of the impact of indigenous self-government, based on socioeconomic data from the national census. The most recent analysis showed that self-governing First Nations were closing the socioeconomic gap with all Canadians faster than First Nations that had received services under the Indian Act.

22. Inclusive decision-making would benefit everyone. She asked whether the Special Rapporteur had found any common obstacles to the development of indigenous self-governance in her initial engagement with Member States.

23. **Mr. Sandoval Mendiolea** (Mexico) said that the Special Rapporteur's visit to his country had been an occasion to reaffirm its commitment to cooperate with the international human rights mechanisms to fulfil its international obligations. His Government was fully prepared to engage in a constructive dialogue that would help to direct its national efforts and encourage the adoption of new measures relating to the human rights of indigenous peoples. The observations set forth in the report on her official visit would provide very valuable input for effectively addressing the challenges faced by his country. Given that 2019 would be celebrated as the International Year of Indigenous Languages, he asked the Special Rapporteur, on the basis of her study on governance systems, to comment further on any best

practices identified at the global level regarding the role played by indigenous languages.

24. **Mr. Svendsrud** (Norway), referring to the Special Rapporteur's report to the thirty-ninth session of the Human Rights Council (A/HRC/39/17), said that all Member States should consider adopting a zero-tolerance approach to violence against indigenous human rights defenders. Indigenous peoples had a key role to play in reaching the Sustainable Development Goals, in particular Goal 15. He wondered to what extent increasing attacks on and the criminalization of human rights defenders were a threat to the implementation of the Goals. He also wished to know how indigenous human rights defenders and indigenous peoples' governance institutions were cooperating with human rights organizations at the local and national levels.

25. **Ms. Diedricks** (South Africa) said that her Government had made significant strides in recognizing indigenous and traditional structures of governance. However, the lack of adequate skills, knowledge, resources and competencies made it difficult for traditional and indigenous institutions to contribute effectively to socioeconomic development and form an integral part of the South African governance system. To address that challenge, her Government had sought to develop well-capacitated, self-sustaining institutions through community initiatives and private partnerships. Partnerships for rural development had been forged between different levels of traditional leadership and the private and public sector. In the absence of any coordinated accounting mechanisms for those partnerships, however, the benefit to the communities was limited. Her delegation would appreciate any view or recommendation the Special Rapporteur might have for addressing that challenge.

26. **Mr. Silverman** (United States of America) said that the United States had a Government-to-Government political relationship with 573 federally recognized tribes in the country and considered tribal leaders' concerns when formulating broader policy objectives. His Government was committed to improving the lives of indigenous peoples in the United States. In recent years, its consultations with those tribes had covered topics ranging from repatriating sacred and culturally significant native American cultural items from abroad and addressing violence against indigenous women and girls to implementing transboundary water treaties affecting tribes along the United States-Canadian border. A long-standing United States presidential executive order from the year 2000 set forth fundamental principles and criteria that guided the Government in conducting regular and meaningful consultations with United States federally recognized tribes when formulating or implementing policies affecting them.

27. Turning to the challenges to self-governance, he asked the Special Rapporteur what factors she believed could contribute to building indigenous peoples' capacity to achieve better economic, education and health outcomes at the local level.

28. **Ms. Wacker** (Observer for the European Union) said that the European Parliament resolution of 3 July 2018 on the violation of the rights of indigenous peoples, including land- grabbing, set out the essential elements that European Union member States should consider for the protection of indigenous peoples. With respect to violence and unlawful criminalization, especially in the context of land, natural resources and the environment, the conclusions on indigenous peoples adopted by the Council of the European Union on 15 May 2017 specifically prioritized the need to take action against the threats and violence faced by indigenous peoples' human rights defenders.

29. She asked what role the private sector should assume in the protection of indigenous human rights defenders and which additional protection measures could be put in place. The European Union supported the work of human rights defenders through specific guidelines as well as the European instrument for democracy and human rights, which funded organizations and human rights defenders that worked on safeguarding land-related rights.

30. Continued support was needed to ensure that capacity-building programmes for indigenous leaders on human rights were included in the international agenda. The European Union remained committed to supporting the establishment of mechanisms and dialogues between Governments and representatives of indigenous peoples. The active, free and meaningful participation of indigenous peoples was a key issue for the achievement of the Sustainable Development Goals. The European Union also remained committed to the full implementation of the United Nations Declaration on the Rights of Indigenous Peoples and wished to underscore specifically the principles of respect, promotion of autonomy and self-government, territorial rights and free, prior and informed consent.

31. **Mr. de Souza Monteiro** (Brazil) said that self-governance was a corollary of the principle of self-determination in international law and served as a yardstick in Brazilian policymaking relating to indigenous peoples. Demarcated indigenous territories in Brazil represented approximately 12 per cent of the national territory. Traditional leaders were responsible

for managing most aspects of the socioeconomic and cultural lives of indigenous peoples. However, in consultation with local indigenous communities, the Government did offer health and education services in their territories. He asked the Special Rapporteur how self-governance could be best applied to national health and education policies.

32. **Mr. Tituaña Matango** (Ecuador) said that his Government maintained its openness and willingness to engage in dialogue in order to further initiatives for the benefit of indigenous peoples and nationalities. Preparations were currently being made for the Special Rapporteur's visit to Ecuador in November 2018. With the approach of the International Year of Indigenous Languages in 2019, he asked the Special Rapporteur how she envisaged contributing to the successful outcome of the celebrations.

33. **Ms. Tauli-Corpuz** (Special Rapporteur on the rights of indigenous peoples) said that she always urged Governments to engage in good faith and profound dialogue with indigenous peoples with a view to achieving the Sustainable Development Goals and the full and effective implementation of the United Nations Declaration on the Rights of Indigenous Peoples. Notwithstanding any complications that might arise with that type of dialogue at the national or local level, ultimately the outcome was better cooperation and partnership between States and indigenous peoples.

34. The private sector must exercise due diligence and adhere to the Guiding Principles on Business and Human Rights: Implementing the United Nations "Protect, Respect and Remedy" Framework, whenever it contemplated bringing investments or projects into indigenous peoples' territories. Due diligence meant having a human rights impact assessment as well as environmental and social impact assessments. Many important processes were required to enhance dialogue between the private sector and the indigenous peoples and between the private sector, indigenous peoples and States. The latter had the primary obligation to comply with international human rights standards, but the private sector had already agreed that it had the responsibility to protect human rights in general and indigenous peoples' rights in particular, and to ensure access to justice or remedies to particular human rights infractions.

35. In her 2019 report, she would study in greater depth the issues of education, health, basic social services and disaster mitigation. Indigenous peoples must press Governments to undertake cultural, health and education services. Indeed, in some of the countries that she had visited, the impact of those services was substantial. The performance of indigenous peoples was much better in countries where they had intercultural health services and bilingual education.

36. A workshop held recently in China had clearly identified concrete measures in support of the International Year of Indigenous Languages. Those languages were part of indigenous governance. In terms of criminalization, one of the problems cited was the lack of interpretation. Rights defenders who did not speak the dominant languages could hardly defend themselves because there was no interpretation into their own language. In countries where multilingual approaches had been adopted, the results were much better.

37. Dialogue and constructive engagement with indigenous peoples would invariably be the best approach to address any challenges and reduce conflicts caused by a failure to consult them. If the private sector engaged in dialogue it would also reduce the cost of doing business in the country. Research showed that as much as 85 per cent of the cost of projects was lost owing to a failure to undertake the processes that were needed to resolve a conflict. The only solution was to call on States to implement the United Nations Declaration and to ensure that they would act in good faith.

38. **Mr. Escalante Hasbún** (El Salvador), speaking on behalf of the Community of Latin American and Caribbean States (CELAC), welcomed General Assembly resolution 72/155, in which Governments and the United Nations system, in consultation with indigenous peoples, were urged to fulfil the commitments contained in the outcome document of the World Conference on Indigenous Peoples. CELAC encouraged further efforts to facilitate participation by the representatives and institutions of indigenous peoples at meetings of the relevant United Nations bodies on matters affecting them.

39. In the context of the International Year of Indigenous Languages, CELAC members States committed themselves to implementing programmes for the recovery, conservation, development, learning and dissemination of the different indigenous languages that were part of their cultures. They recognized that traditional knowledge, innovations and practices of indigenous peoples could support social well-being and sustainable livelihoods. Indigenous peoples had the right to maintain, control, protect and develop their cultural heritage, traditional knowledge and traditional cultural manifestations.

40. Access to justice was essential for the promotion and protection of the individual and collective rights of

indigenous peoples, together with equity, social and financial inclusion, well-being and *buen vivir* (living well). Indigenous peoples, including indigenous women, must be empowered to participate in decision-making processes on matters that affected their rights and States had the duty to consult them through their representative institutions with a view to obtaining their free, prior and informed consent.

41. As established in the United Nations Declaration on the Rights of Indigenous Peoples, special attention must be paid to the rights and requirements of women, children, young people, older persons and persons with disabilities. The 2030 Agenda on Sustainable Development was an opportunity to address gaps in the implementation of the United Nations Declaration on the Rights of Indigenous Peoples and the unequal progress made towards their realization.

42. **Mr. Thomas** (Antigua and Barbuda), speaking on behalf of the Caribbean Community (CARICOM), said that CARICOM member States continued to work in partnership with their indigenous communities to further the establishment of human rights standards. Regional and national plans were being strategically adjusted in line with the aims of the 2030 Agenda. In their dedication to the continued development of their indigenous populations, CARICOM member States were ensuring that laws and measures adopted to protect and preserve their culture and identity would also guarantee their fundamental rights and freedoms, without discrimination.

43. The expanded mandate of the United Nations Voluntary Fund for Indigenous Peoples had allowed for the continuous engagement of indigenous populations within the United Nations system and provided guidance and training to indigenous representatives to enable them to participate effectively in human rights mechanisms. CARICOM echoed the call for new and continued donor support to the Fund to enable it to boost capacity-building among the indigenous peoples in the Caribbean.

44. CARICOM looked forward to working with indigenous peoples to recover and develop languages that were at risk. It sought to highlight the social and cultural importance of its indigenous populations at the national and regional levels and to promote their inclusion and right to continued cultural self-determination.

45. Notwithstanding the significant progress made in promoting the human rights and socioeconomic well-being of indigenous peoples, CARICOM acknowledged that much more must be done to bridge the gap between them and the non-indigenous populations. In their efforts to mainstream indigenous perspectives in their national development policies, CARICOM member States were constrained by their inability to access adequate international support. The Governments of CARICOM member States therefore continued to call on the United Nations programmes, funds and specialized agencies to assist them in their ongoing efforts by mobilizing financial and technical assistance.

46. **Mr. Sauer** (Finland), speaking also on behalf of the Nordic and Baltic countries, namely, Denmark, Estonia, Iceland, Latvia, Lithuania, Norway and Sweden, said that indigenous peoples' representatives and institutions must have the possibility and space to exercise their rights at meetings of all relevant United Nations bodies on issues affecting them. In that regard, the Nordic and Baltic countries had actively contributed to the work of the four indigenous peoples' advisers to the President of the General Assembly with regard to the consultation and participation of indigenous peoples and had sought to implement the recommendations of General Assembly resolution 71/321 since its adoption in September 2017.

47. Self-governance involved not only the establishment and maintenance of indigenous decision-making institutions but also the promotion of indigenous peoples' participation in decision-making processes on matters that affected them. Women, youth and persons with disabilities needed to participate in indigenous institutions and other forums. Furthermore, all Member States needed to intensify their efforts to address the challenges faced by many indigenous self-governance systems, including the lack of resources.

48. The Special Rapporteur's efforts to increase cooperation with other United Nations bodies and her participation in the high-level political forum on sustainable development were to be commended. Indigenous governance systems could play an essential role in ensuring that the implementation of the 2030 Agenda was culturally appropriate and grounded in indigenous peoples' traditions, values and approaches to development. The Special Rapporteur had an important role to play as an advocate for indigenous peoples' rights. However, indigenous peoples must have the possibility and space to exercise their right to participate in the meetings of all relevant United Nations bodies dealing with issues affecting them.

49. **Ms. Wacker** (Observer for the European Union), speaking also on behalf of the candidate countries Albania, Montenegro, Serbia and the former Yugoslav Republic of Macedonia; the stabilization and association process country Bosnia and Herzegovina; and, in addition, Armenia, the Republic of Moldova and

Ukraine said that the European Union was stepping up its support for indigenous peoples and human rights defenders working specifically on land issues, environment, biodiversity and climate under the European Instrument for Democracy and Human Rights. Following a call for proposals in 2017, the European Union would be granting 5 million euros in 2018 to human rights defenders and organizations that worked on those issues.

50. Land-grabbing occurred even in countries where the rights of indigenous peoples to lands, territories and resources were protected in law or in the Constitution. It therefore needed to be urgently addressed as a phenomenon rooted in a lack of accountability and good governance. Respect for the right to customary land and resources was essential for the definition of accountability, good governance and a global rules-based order. The European Union would use all its tools to promote adherence to a rules-based order and internationally agreed policy directions. The European Consensus on Development, adopted in June 2017, defined the European Union's development strategies for the future and was a reaffirmation of the Union's rights-based approach to development. The responsible governance of and equitable access to land and resources featured strongly in the Consensus as an important issue that must be taken into account. She called on all States to implement the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the context of National Food Security and urged Governments as well as private sector actors to abide by the Guiding Principles on Business and Human Rights, which were immensely relevant in the context of land-grabbing.

51. The European Union would continue to take an active part in the interactive hearings on enhancing the participation of indigenous peoples' representatives and institutions at the United Nations. Its steadfast commitment in that regard was grounded in the conclusions on indigenous peoples adopted by the Council of the European Union on 15 May 2017, which underscored the crucial importance of further enhancing opportunities for dialogue and consultation with indigenous peoples at all levels of European Union cooperation.

52. **Mr. Sandoval Mendiolea** (Mexico), speaking on behalf of the Group of Friends of Indigenous Peoples, said that despite positive efforts to translate the principles of the United Nations Declaration on the Rights of Indigenous Peoples into action, discrimination remained an obstacle and those in the most vulnerable situations bore the heaviest burden. Development could only be sustainable when the most vulnerable were protected. Thus, particular attention must be paid to the rights and special needs of indigenous women, children, young persons, older persons, migrants and persons with disabilities. Efforts must also be intensified in order to prevent and eliminate violence and multiple and intersecting forms of discrimination.

53. All Member States and all relevant academic institutions, indigenous peoples' institutions and representatives, as well as the United Nations Educational, Scientific and Cultural Organization (UNESCO), should participate actively in the events relating to the International Year of Indigenous Languages and uphold the spirit of the Year by drawing attention to the critical loss of indigenous languages and the need to preserve, revitalize and promote them. Despite increased attention from national Governments and the international community, one indigenous language died approximately every two weeks. As languages became extinct, wisdom, customs, methods of governance and distinct world views were lost.

54. The participation of indigenous peoples' representatives and institutions in meetings of relevant United Nations bodies dealing with issues affecting them remained an important goal. Thus, in conjunction with the relevant agencies and entities of the United Nations system, Member States should hold timely regional consultations to seek input from those representatives and institutions on the measures needed to enable their participation. Important strides forward could be made with constructive engagement, persistence and a true demonstration of best practices.

55. **Mr. Mohamed** (Iraq) said that, over the previous three decades, the rights of indigenous peoples had become a recognized component of international law. United Nations human rights mechanisms, including the Working Group on Indigenous Populations, monitored developments in that field. His Government would honour the provisions of the outcome document of the World Conference on Indigenous Peoples, in particular those that sought to provide favourable living conditions for indigenous peoples. Working with indigenous peoples' institutions, the Government would develop national plans and strategies and would promote and protect the rights of indigenous persons with disabilities by affording them better education, health care, and cultural and social services.

56. With the stresses imposed on their lands by the extractive industries, indigenous peoples continued to face violations of their human rights. The Government of Iraq wished to continue to support the human rights of indigenous peoples and to work with them to achieve the Sustainable Development Goals.

57. **Mr. Kashaev** (Russian Federation) said that supporting indigenous peoples' aspirations to the full and effective realization of their rights had always been one of his Government's priorities. Many legal instruments had been enacted in his country to reflect the main international statutes on the promotion and protection of the rights of indigenous peoples. Long-term strategic documents incorporating the concept of sustainable development were also being drawn up for the indigenous peoples of the north, Siberia and the Far East. Meanwhile, work was under way to improve mechanisms governing the special legal status of indigenous peoples at the federal and regional levels, including in the context of the United Nations Declaration on the Rights of Indigenous Peoples.

58. In seeking to preserve the traditional homelands and the social, economic and cultural identities of indigenous peoples, the Government paid particular attention to their relationship with industry. For example, trilateral agreements had been signed between local authorities, businesses and the indigenous peoples, while trilateral commissions and dispute settlement mechanisms had been put in place to rule on the losses suffered as a result of industrial activities. The policies of industrial companies reflected positive changes in the context of the need to obtain the free, prior and informed consent of indigenous peoples. The situation of indigenous peoples was monitored primarily by federal and regional commissioners for human rights, ombudspersons on the rights of indigenous peoples and various consultative mechanisms for cooperation with civil society.

59. A national organizing committee would shortly be established in preparation for the International Year of Indigenous Languages. Proposals by indigenous peoples had already been incorporated into the relevant national plan of action. The Russian Federation was ready to share its experience in preserving linguistic diversity, including the use of rare and lesser-used languages in the education system and the mass media.

60. His delegation advocated exchanging best practices relating to promoting and protecting the rights of indigenous peoples, especially within the Permanent Forum on Indigenous Issues and the Expert Mechanism on the Rights of Indigenous Peoples. Unfortunately, discussions on indigenous peoples were being increasingly being politicized, whereas the common task of the international community should be to seek out mechanisms that would improve their situation since it would also facilitate the development of society as a whole. Any initiative that would place representatives of indigenous peoples in an artificial conflict, making them pawns in the underhanded political games of certain countries, was therefore unacceptable.

61. **Mr. Meza-Cuadra** (Peru) said that his country had ratified and incorporated into its legal statutes the Indigenous and Tribal Peoples Convention, 1989 (No. 169) of the International Labour Organization (ILO). Currently, the focus was on implementing the United Nations and American Declarations on the Rights of Indigenous Peoples. Under the Right to Prior Consultation for Indigenous or Aboriginal Peoples Act, 42 consultations had been carried out on projects relating to hydrocarbons, mining, infrastructure and protected natural areas. Thanks to the Working Group on Indigenous Peoples, a permanent forum that brought together the seven most representative indigenous organizations in the country, several agreements had been reached on adapting public services to the traditions and lifestyles of the indigenous population.

62. The intercultural approach was a mandatory policy in Peru. As one of the first countries in the region to have established a policy on the protection of indigenous peoples in isolation and in initial contact, Peru had recently established an oversight system to penalize deeds or behaviour that could infringe the rights of peoples in isolation.

63. Adopted in August 2017, the national policy on indigenous languages, the oral tradition and intercultural relations sought to guarantee the linguistic rights of speakers of indigenous languages in the national sphere and to incorporate changes and improvements in public administrative practices and in the provision of public services. As part of the events planned for the International Year of Indigenous Languages, the International Congress on Indigenous Languages would be held in Cusco, Peru, in October 2019.

64. According to the National Census on Population, Housing and Indigenous Communities, conducted in October 2017, 25 per cent of the total population registered, or 7 million persons, identified themselves as indigenous. Peru remained committed to the promotion and protection of their rights

65. **Ms. Nicholas-Mackenzie** (Canada) said that the first step in renewing relationships between Governments and indigenous peoples was to recognize and implement the rights of the latter. In the case of Canada, that meant their treaty rights as well as their inherent rights. Recognition was essential to rebuilding strong, self-determining indigenous nations and to allowing indigenous peoples to reassume control over their governance, lands, resources, languages, cultures and education.

66. Consistent with the United Nations Declaration on the Rights of Indigenous Peoples, Canada recognized the right of indigenous peoples to participate in decision-making through their own representative institutions, including in relevant United Nations forums. Her Government was also fully cognizant of the need to consult indigenous peoples and cooperate in good faith with them with the aim of obtaining their free, prior and informed consent on matters affecting them.

67. Member States had begun the challenging work required to change relationships. Canada was very proud to be among them as it sought to redress historical wrongs by engaging in collaborative and community-driven discussions in a way that responded to the unique rights, needs and interests of indigenous peoples. The collective challenges facing the international community could be viewed as opportunities to forge agreements that would advance the visions of self-determination of indigenous peoples for the benefit not only of their communities but of all humanity. Respect for indigenous rights was integral to achieving a more sustainable world for all.

68. **Ms. Frias Deniz** (Mexico), speaking as a youth delegate, said that her country's identity was deeply rooted in its history and social and political context. The Government of Mexico fully supported the indigenous peoples' pursuit of sustainable, inclusive development and aspirations for securing a better quality of life without losing their cultural identify or jeopardizing the country's natural heritage. The United Nations Declaration on the Rights of Indigenous Peoples had served as a guide to her Government in the adoption of relevant policies aimed at preserving the linguistic diversity and traditional knowledge of indigenous peoples, protecting their lands and territories, combating climate change and promoting the participation of indigenous women in the economic, social and political life of the country.

69. Her country supported the work of the Special Rapporteur, the Permanent Forum on Indigenous Issues and the Expert Mechanism on the Rights of Indigenous Peoples. At the thirty-third ordinary session of the Human Rights Council, Mexico had proposed that the mandate of the Special Rapporteur be extended for three years. At the World Conference on Indigenous Peoples, it had proposed raising the number of experts on the Expert Mechanism to seven; providing technical assistance to States and indigenous peoples in the drafting of laws and national policies relating to their rights; and encouraging greater coordination with other special procedures.

70. Eliminating violence against indigenous women and girls was as important as achieving their economic, social and political empowerment. Thus, at the sixty-first session of the Commission on the Status of Women, Mexico, together with the International Indigenous Women's Forum, had proposed that empowering indigenous women be treated as a priority issue.

71. **Mr. de Souza Monteiro** (Brazil), reaffirming his Government's commitment to the principle of free, prior and informed consent, said that the political participation of indigenous peoples in Brazil had been increasing in the previous two years. During the country's recent general elections, two indigenous women had symbolized that positive trend: the first, a candidate for the post of Vice-President, had successfully mainstreamed the indigenous perspective in political representation; the second had become the first Brazilian indigenous congresswoman, having previously been instrumental in obtaining a ruling by the Brazilian Supreme Court recognizing the indigenous territory of her ancestors, the Raposa Serra do Sol in Roraima, as one of the 426 demarcated indigenous lands in Brazil.

72. Brazil was fully aware that only by fully involving indigenous peoples would it be possible to fulfil the 2030 Agenda. By continuing to implement the promotion and protection mandate enshrined in the 1988 national Constitution, Brazil would also be fulfilling its commitments under the United Nations Declaration on the Rights of Indigenous Peoples and the 2030 Agenda.

73. **Mr. González** (Colombia) said that indigenous communities in Colombia had been authorized to assume control over their own health, education, drinking water and basic sanitation systems and 22 communities had already done so for education services. Judicial mechanisms had also been established to provide protection and security in ancestral indigenous territories.

74. His Government was designing and implementing institution-building programmes, on the basis of inclusive and participatory processes, to support indigenous authorities with their political and administrative responsibilities. It was also preparing documentation for life plans and budgetary transfer management.

75. The Andean concept of *buen vivir* (living well) must be understood in the context of indigenous peoples' right to choose their own development model and as a concrete application of their right to self-determination. Unlike the idea of economic growth, it promoted a new way of living together in society and in harmony with the environment. As a fresh approach to

the challenges of sustainable development, the concept transcended socioeconomic and environmental differences and attested to the fact that diverse perspectives could strengthen the outlook for development.

76. His Government also practised prevention and protection, including by monitoring threatening situations, training national and regional public entities and enhancing awareness in neighbouring communities of the situation of peoples living in isolation. Those measures had helped to avoid contact between illegal miners and missionaries and people in isolation in the Rio Puré National Park. Similarly, authorities in the departments of Amazonas, Caqueta and Vaupés had been advised of the need for no-contact strategies in order to protect peoples in voluntary isolation. However, the Government recognized that challenges such as narcotrafficking, illegal mining, illegal logging and the presence of armed entities were a hindrance to its efforts to address sustainable development and other issues affecting indigenous peoples in a responsible manner.

77. **Mr. Silverman** (United States of America) said that the priority concern for the United States was the need to end violence against indigenous women and girls. American Indian and Alaskan native women faced higher rates of violence and domestic assault than almost any other group in the country. Domestically, federal prosecutors brought violent offenders against indigenous women to justice, while federal programmes offered indigenous survivors a broad range of services and support. The federal authorities also funded research into the phenomenon of violence against indigenous women and girls and the search for possible solutions, while providing training and technical assistance to improve tribal ability to maintain public safety.

78. United States tribal leaders had emphasized the need for rigorous investigation and prosecution of cases involving missing or trafficked indigenous women. In response, the United States Department of Justice had supported prosecutors in holding perpetrators accountable and had launched an initiative to improve indigenous public safety by increasing United States federally recognized tribes' access to national crime information databases, enabling them to enter registrations into the national sex offender registry, to have orders of protection enforced beyond their reservations, to keep firearms away from those who should not receive them and to enter arrests and convictions on tribal lands into those national databases. By the end of the 2018 fiscal year, 47 tribes were participating in the programme.

79. The Department of the Interior worked with American Indian and Alaskan natives on a victims' response programme for victims' rights and restitution. It also sought to raise awareness among federal agencies of the unique challenges surrounding the human trafficking of American Indian and Alaskan natives.

80. At the 2016 summit of North American leaders, the United States, Canada and Mexico had established a trilateral working group on violence against indigenous women and girls, which had held three meetings in the preceding three years.

81. **Ms. Diedricks** (South Africa), recalling that 2018 marked not only the seventieth anniversary of the adoption of the Universal Declaration of Human rights but also the centenary of the birth of Nelson Mandela, whose life had been dedicated to the attainment of human dignity for all, said that the national Constitution was premised on the fundamental principle of non-discrimination. It aimed to advance human rights and fundamental freedoms for all, equally and without prejudice.

82. The multiple socioeconomic challenges faced by communities in South Africa were directly attributable to past discriminatory practices, including the dispossession of land. The critical issue of economic, social and cultural empowerment of indigenous communities must be addressed from the perspective of land ownership. Indeed, no equitable economic benefit would derive to the majority of South Africans until the issue of land ownership had been resolved. Her Government had restored a sizeable amount of land to the previously disadvantaged groups, including the Khoi and San communities. It was striving to tackle the issue of expropriation of land without compensation within the constitutional and legislative frameworks without sacrificing critical sectors of the economy, such as food security. Economic development was predicated on equal access for all to land, territories, resources and economic opportunities.

83. The destruction wrought by transnational corporations and other business enterprises on the ancestral lands of indigenous peoples remained a fundamental concern for her Government, for those corporations, the sanctity of life was subordinate to the maximization of profits. South Africa called on the international community to work together to achieve the realization of indigenous peoples' human rights and fundamental freedoms across the globe and without discrimination.

84. **Mr. Arriola Ramírez** (Paraguay) said that 19 distinct indigenous peoples existed in his country, distributed over more than 400 communities. Their rich

linguistic diversity was part of the cultural heritage of Paraguay. Spanish and Guarani, an indigenous language widely used by the Paraguayan population, had coexisted, interacted and enriched each other mutually for more than four centuries.

85. The Constitution of Paraguay recognized the nation's pluricultural and official bilingual character. The Languages Act was a major cultural and political achievement signalling the start of a new phase in the management of bilingualism in Paraguay. The celebration of 2019 as the International Year of Indigenous Languages should help to create awareness of the need to respect, preserve and promote indigenous languages, especially those at risk of extinction.

86. Recognized in the Constitution as having existed prior to the emergence of the nation-State, the indigenous peoples of Paraguay were guaranteed the right to preserve and develop their ethnic identity, the right to communal ownership of land and the right to participate in political life and in decision-making on issues that affected their rights. In close collaboration with indigenous peoples, competent government institutions had been preparing and executing national plans of action to implement the provisions of the United Nations Declaration on the Rights of Indigenous Peoples.

87. **Mr. Hermida Castillo** (Nicaragua) said that his Government had set aside over $480,000 from the general budget for indigenous territories, with a view to strengthening territorial and communal governance. In terms of restitution of rights to indigenous groups, in a bid to enhance socioeconomic and cultural security, the authorities had granted land titles amounting to 31.4 per cent of the national territory and accounting for 100 per cent of land title applications by indigenous peoples and persons of African descent. Intercultural health, education and production models were instituted to guarantee socioeconomic well-being, food security and sovereignty throughout the Caribbean coast and, especially, in the beneficiary communities.

88. The State guaranteed the communities of the Caribbean coast the right to enjoy their natural resources, exercise their own forms of communal property and choose freely their own leaders and representatives, thereby contributing to the preservation of their cultures, languages, religions and customs. The education curriculum continued to be based on bilingual intercultural education, by virtue of which indigenous persons were taught in their mother tongue and learned Spanish as a second language. That approach promoted indigenous culture, traditions and identity, together with respect for ancestral values, traditions and customs dating back thousands of years.

89. The Health Act and the Traditional Medicine Act incorporated indigenous knowledge and wisdom into the health services and training of health personnel. A significant achievement was the fact that, in the period from 2016 to 2018, no case of maternal mortality had been recorded in any of the three territories.

90. Under the Government of Reconciliation and National Unity, Nicaragua would continue to make strides to improve the well-being of indigenous peoples and persons of African descent and to restore their traditional forms of self-governance and human development within the framework of the policy of restitution of rights.

91. **Ms. Sudmalis** (Australia) said that her delegation recognized the pivotal role of indigenous women in empowering communities to achieve the ambitious 2030 Agenda and overcome disadvantage. Like their counterparts in many other countries, Australian indigenous women and girls often experienced different life pathways than non-indigenous women, such as taking on caring responsibilities at a younger age that resulted in lower rates of education and less employment over the course of their lives.

92. The Women's Voices project was a significant opportunity to reframe the Government's current approach to empowering indigenous women. Headed by the Aboriginal and Torres Strait Islander Social Justice Commissioner, it allowed indigenous women and girls to talk about their strengths, challenges and aspirations for change.

93. As home to the world's oldest continuing culture, that of its First Australians, Australia was proud of its rich history and diversity. Her country's membership on the UNESCO Steering Committee for the International Year of Indigenous Languages demonstrated its support and commitment to revive, maintain, celebrate and promote indigenous languages.

94. The Government of Australia embraced working with indigenous leaders and communities to support indigenous ownership, enable true partnerships and recognize the diversity of cultures and circumstances of indigenous Australians. Like the national agenda, entitled "Closing the Gap", the Sustainable Development Goals called for consistent efforts from all levels of government, the private and non-profit sectors, communities and individuals. Australia welcomed further discussion and ideas on the alignment between empowerment of indigenous peoples and the 2030 Agenda.

95. **Mr. Tituaña Matango** (Ecuador) said that his country's 2008 Constitution went beyond multiculturalism to espouse social renewal as the outcome of a long and complex organizational process of social movements. Recognizing 21 collective rights for peoples and nationalities, it also incorporated equality and non-discrimination as principles guiding public policies aimed at achieving the full participation of indigenous peoples in a just and inclusive society.

96. The National Development Plan 2017–2021 affirmed the principles of interculturalism and plurinationalism, revalidating the importance of the identity of peoples and nationalities. Ecuador had long been committed to preserving indigenous languages, maintaining intercultural education and recognizing diversity. The existing bilingual intercultural education system and the national curriculum for bilingual intercultural education, applied to each indigenous language of Ecuador, were the means of promoting a culturally and linguistically relevant education.

97. As one of the countries that had been instrumental in having 2019 proclaimed as the International Year of Indigenous Languages, and in its capacity as Co-Chair of the UNESCO Steering Committee for the International Year of Indigenous Languages, Ecuador would continue to support the proposals of indigenous peoples, States and other stakeholders looking forward to the successful celebration of the Year. By participating actively in that important event, States would help to preserve and revitalize the use of ancestral languages and their transmission to future generations.

98. In his country 12 October was an opportunity to reflect on the meaning of interculturalism from the perspective of a continent that recognized the value of indigenous peoples, their knowledge, culture and traditions. Thus, it was celebrated as a day of interculturalism and plurinationalism, dialogue between different cultures and knowledge systems, and an occasion to strengthen national unity in diversity with a view to building an inclusive State where peace and justice would prevail.

99. **Mr. Gertze** (Namibia) said that several ethnic groups in Namibia had been relegated to so-called "homelands" under the colonialist apartheid regime, resulting in grave injustices and severe disadvantages. The Namibian Constitution provided a foundational framework for promoting and protecting the rights of such marginalized communities. As a party to a number of conventions and treaties that safeguarded the rights of all peoples, Namibia had enacted national legislation in compliance with the obligations set out under those instruments. A dedicated minister responsible for marginalized communities had been appointed within the office of the President.

100. Marginalized communities faced a number of challenges: lack of access to land and lack of secure land tenure, low levels of education, limited access to health service, food insecurity and insufficient livelihood options. Education, resettlement and livelihood support programmes were being implemented with a view to integrating those marginalized communities into the mainstream economy and improving their opportunities to earn a living. The Government had also purchased commercial farms, launched literacy projects and put in place affirmative action measures. Conservancies had also been set up and were being managed for the benefit of marginalized people.

101. Under the Traditional Authorities Act, a traditional community could apply for State recognition and obtain the right to administer and execute customary laws, to protect and promote the culture, language, tradition and traditional values of its communities and to preserve cultural sites, works of art and traditional ceremonies.

102. **Ms. Cedeño Rengifo** (Panama) said that, in July 2018, Panama had contracted a World Bank loan of $80 million to support the implementation of the Integral Development Plan for Indigenous Peoples. The purpose of that Plan was to strengthen the capacity for governance of indigenous peoples and assist in planning and implementing development programmes consistent with their priorities and outlook. It would also serve to enhance the public services provided to them. Based on a national consensus between the two indigenous governance structures and inspired by their own development perspective, the Plan comprised three components: strengthening governance and multisectoral coordination for the development of indigenous peoples; improving the quality and cultural relevance of services and infrastructure in indigenous territories; and project management, monitoring and evaluation.

103. Her Government recognized that it had a commitment and a historic responsibility to generate greater and better opportunities for equality. It had the political will and was open to proposals that would benefit the indigenous peoples of Panama. The participation and inclusion of indigenous peoples was vital for the full application of the United Nations Declaration on the Rights of Indigenous Peoples, which was the most comprehensive instrument that Member States had at their disposal for achieving change. The historical denial of the human rights of indigenous peoples must be redressed.

104. **Ms. Ershadi** (Islamic Republic of Iran) said that, even 10 years after the adoption of the United Nations Declaration on the Rights of Indigenous Peoples, indigenous peoples lagged far behind non-indigenous populations in terms of their economic and social conditions. Moreover, some indigenous groups continued to suffer from unfair treatment, including violence and discrimination, with no guarantee of their basic rights, and severe challenges to their survival and development. In accordance with the 2030 Agenda and the Declaration, countries with indigenous peoples needed to show political will, formulate appropriate national plans of action, strategies and measures and fulfil the commitments made at the World Conference on Indigenous Peoples.

105. She called on international, national and local stakeholders to respect indigenous peoples' rights to their homelands and natural resources. Countries with indigenous populations should put in place strong protective measures to ensure that the rights of those populations were upheld in interactions with extractive industries operating on their ancestral lands. Stronger monitoring mechanisms at the local and national levels were required for the realization of the objectives of the Declaration.

106. **Monsignor Grysa** (Observer for the Holy See) said that, despite advances, the environmental, cultural and spiritual heritage of many indigenous populations remained under significant threat. Economic and ideological colonization imposed under the banner of "progress" continued to be carried out without concern for the human rights of indigenous peoples or their environment.

107. New forms of mining and extraction of valuable minerals and other resources in the Amazon basin, conducted by large corporations, had led to devastating environmental degradation and deforestation, as well as the displacement of persons. Even seemingly well-intentioned land conservation policies and environmental protection movements had disrupted local economies and the lives of inhabitants. Without access to their own land and forced to migrate to cities in search of work, many indigenous peoples fell into precarious situations of poverty and vulnerability.

108. The Amazon and other resource-rich regions of the world must no longer be viewed as inexhaustible sources of wealth to be exploited. Environmental protection must take into consideration the rights and livelihood of the indigenous peoples who called those regions home. They must be included as authentic dialogue partners in every deliberation on matters that directly affected them. Preference must be given to those beneficial initiatives that indigenous communities and organizations were already undertaking.

109. Indigenous peoples commanded an immense cultural reserve and set of living traditions that must be preserved and defended. The disappearance of their culture and way of life could be even more serious than the loss of biodiversity. Those who were not part of their culture had much to learn from the world view and wisdom of indigenous peoples, as Pope Francis had recently noted.

110. **Ms. Cruz Yábar** (Spain) said that her country had a special strategic framework for cooperation with indigenous peoples. Furthermore, pursuant to the United Nations Declaration on the Rights of Indigenous Peoples, it had developed the Indigenous Programme, an instrument with its own budget for supporting the full and effective political participation of indigenous peoples. Under that Programme, Spain had worked to implement ILO Convention No. 169 through the promotion of multisectoral forums for dialogue and confidence-building at the regional and national levels.

111. In that context, Spain had supported the Meeting of Ibero-America High Authorities with Indigenous Peoples, which approved the Plan of Action of the Fund for the Development of the Indigenous Peoples of Latin America and the Caribbean. The Plan of Action sought to bring national normative and institutional frameworks into line with international standards relating to the rights of indigenous peoples, including the indigenous perspective in national plans, and to establish formal and permanent mechanisms for participation, dialogue and consultation between States and indigenous peoples.

112. Public policies must be consistent with international standards, and steps must be taken to reduce the number of attacks against indigenous human rights defenders and ensure that independent investigations were conducted into any such attacks. The international community should continue to invest in capacity-building of indigenous leaders in the areas of human rights, protection mechanisms and international forums.

113. **Mr. Carazo** (Costa Rica) said that, in March 2018, his country had settled a historical debt with its indigenous peoples by establishing an instrument to guarantee their free, prior and informed consent, setting out clear rules for their full and effective participation in decision-making. The mechanism for dialogue and participation was itself the fruit of an open and comprehensive dialogue conducted in 24 indigenous territories across the country through information and participation workshops on different aspects of the

consultation procedure, in accordance with the recommendations of the Special Rapporteur, the obligations set out in ILO Convention No. 169 and the rights enshrined in the United Nations Declaration on the Rights of Indigenous Peoples.

114. In August 2018, the Government had adopted a public policy relating to indigenous peoples for the period 2019–2024 to guarantee the fulfilment of their individual and collective rights from an intercultural and intergenerational perspective with an emphasis on gender equality. Indigenous women and youth must participate in decision-making on issues that concerned them directly.

115. **Ms. Oropeza Acosta** (Plurinational State of Bolivia) said that 97 per cent of the world population spoke only 4 per cent of the approximately 7,000 languages in existence; the vast majority of the minority languages were spoken mainly by indigenous peoples and were disappearing at an alarming rate. Without an appropriate measure for addressing the problem, the history, traditions and memories of the peoples that spoke those languages would be lost and the world's linguistic diversity would be drastically reduced.

116. The 2009 Constitution of Bolivia recognized the 36 nationalities living in the country. Alongside literacy training in Spanish, education was offered in only four of the 36 indigenous languages recognized in Bolivia: Aymara, Quechua, Guaraní and Cavineño. The State was also "Indianized" on the basis of the Constitution, guaranteeing recognition and equality of opportunities for all indigenous nations. By including indigenous peoples in all types of political decisions in the country, representative democracy had been enhanced by community democracy, which elected local government authorities.

117. Her country, which had recently hosted a seminar on the revitalization of indigenous languages attended by Latin American and Caribbean countries, would mark the official launch of national celebrations in preparation for the International Year of Indigenous Languages on 12 October. She welcomed the opportunity to discuss that issue precisely on the day celebrated in Bolivia as Decolonization Day. All countries should act together to promote the right of indigenous peoples to development based on the maintenance of their cultures and customs. The ancestral wisdom and world view of indigenous peoples encouraged respect for all forms of life sheltered by Mother Earth and served as a guide to *buen vivir* (living well), in harmony with nature.

118. **Ms. Dalituicama** (Fiji) said that indigenous peoples in her country had a sacred relationship with their land and environment. The national Constitution guaranteed the protection and ownership of indigenous land. Indeed, 87 per cent of the land was inalienable indigenous land and the majority of the people were indigenous to Fiji.

119. Like many other small island developing States, Fiji faced real threats posed by climate change and the authorities had identified over 63 coastal communities that required relocation as a result of rising sea levels. In 2014, the indigenous coastal village of Vunidogoloa, including its ancestral burial grounds, had been successfully relocated using a holistic approach in order to preserve its cultural identity.

120. The special relationship between indigenous communities and the environment had been specifically recognized, under the presidency of the Prime Minister of Fiji, at the twenty-third session of the Conference of the Parties to the United Nations Framework Convention on Climate Change, with the adoption of the local communities and indigenous peoples' platform. The platform was designed to strengthen the response of local communities and indigenous peoples to climate change and to facilitate the sharing of best practices and lessons learned on mitigation and adaptation.

121. **Mr. Mohd Nasir** (Malaysia) said that the Orang Asli of Peninsular Malaysia and the natives of Sabah and Sarawak comprised about 13 per cent of the national population. As Malaysia progressed towards becoming a developed nation, indigenous communities were adjusting to that process. Some indigenous persons chose to reside in their traditional villages and surroundings, while others migrated to urban areas. Nevertheless, they were doing their utmost to preserve their own sense of identity and dignity. The Government, conscious of its duty to ensure that the rights of its citizens were respected and protected, would continue to assist indigenous peoples in dealing with the complexities of modern life in the twenty-first century.

122. Malaysia recognized the importance of indigenous peoples' lands as part of the enjoyment of their human rights. Under the Aboriginal Peoples Act 1954, the State authority could, by notification in the Gazette, declare any area exclusively inhabited by aborigines to be an aboriginal reserve. The Department of Orang Asli Development had been set up pursuant to the Act to monitor the well-being of indigenous communities.

123. Various government initiatives helped to facilitate access to education for indigenous children, who were also strongly encouraged to further their studies to the tertiary level and received financial assistance or scholarships to do so. The outstanding performance of

many students attested to the wisdom of the Government's decision to improve access to education for rural indigenous communities.

124. **Ms. Horbachova** (Ukraine) said that her country was committed to respecting human rights and fundamental freedoms, in accordance with the United Nations Declaration on the Rights of Indigenous Peoples, and guaranteed that the ethnic, cultural, linguistic and religious identity of all national minorities in the country were both preserved and promoted. It also supported indigenous peoples based on the principle of universal respect for the rule of law and human rights, irrespective of race, gender or religion.

125. Her Government guaranteed the protection and enjoyment of the rights of the Crimean Tatar people within a sovereign and independent Ukraine and recognized the Mejlis as their competent self-governing body. Since the beginning of the temporary occupation of Crimea in February 2014, Crimean Tatars and ethnic Ukrainians had faced extrajudicial killings, abductions, enforced disappearances, politically motivated prosecutions, discrimination, harassment, intimidation, violence, including sexual violence, arbitrary detentions, torture, ill-treatment and psychiatric internment. According to the most recent report of the Office of the United Nations High Commissioner for Human Rights, entitled "Situation of human rights in the temporarily occupied Autonomous Republic of Crimea", systemic problems requiring urgent measures included the absence of impartiality in the administration of justice; restrictions on the exercise of fundamental freedoms, including actions to prevent or suppress criticism and dissent; and a general lack of accountability for human rights violations committed by State agents. Despite an April 2017 Order by the International Court of Justice requiring that the Russian Federation refrain from imposing limitations on the ability of the Crimean Tatar community to conserve its representative institutions, the Mejlis was still banned in Crimea.

126. Her delegation demanded that the Russian Federation comply with its obligations as an occupying Power under international human rights and humanitarian law, cease repressions against indigenous Crimean Tatars on the territory of the temporarily occupied Crimea, comply with the Order by the International Court of Justice and lift restrictions on the representative institutions of the Crimean Tartar community, including the ban on the Mejlis. She called upon the international community to condemn the human rights violations committed by State agents of the Russian Federation.

127. **Ms. Banaken Elel** (Cameroon) said that while significant advances had been made since adoption of the United Nations Declaration on the Rights of Indigenous Persons in 2007, consensus remained elusive given the many different approaches and the lack of an internationally accepted definition of the term "indigenous".

128. Her country had 250 ethnic groups, each of which could be considered indigenous in its region of origin. However, pending the finalization of a study undertaken to identify the populations that could be identified as indigenous in Cameroon, only the group referred to as Pygmies was currently recognized as belonging to that category. The Government had therefore adopted a series of measures to promote and guarantee the rights of those populations.

129. With respect to self-governance, her Government had taken steps to facilitate the political participation of indigenous populations by encouraging them to register on electoral lists and to present themselves as candidates in the communes to which they belonged. As a result, several representatives of Pygmy communities had been elected to serve on executive bodies in their communes. Furthermore, the Government sought to cooperate with the Pygmy population with a view to obtaining their free, prior and informed consent for programmes that concerned them. Such was the case with forestry, with the Government setting up a new category of mechanism designed to enable local communities to progressively assume responsibility for the management of their forests and forest resources. In southern Cameroon, Pygmy populations were actively engaged in community forest management committees. Cameroon would pursue its efforts to promote the rights of the Pygmy populations.

130. **Mr. Castillo Santana** (Cuba) said that political or economic interests of different kinds were still being cited as justification for projects that dispossessed indigenous peoples of their lands and natural resources, thereby depriving them of their right to development, leaving them vulnerable to marginalization and discrimination and imposing legal and administrative barriers to the recognition of their collective rights.

131. The United Nations Declaration on the Rights of Indigenous Peoples sent a clear message to the international community about the importance of ensuring the survival and well-being of indigenous peoples and, in particular, upholding their right to promote their own vision of economic, social and cultural development.

132. Reiterating its firm support for the just claims of indigenous peoples, his delegation urged the

international community to demonstrate greater political will by taking concrete steps towards the fulfilment and full enjoyment by those communities of all their economic, social, cultural, civil and political rights.

133. **Mr. Certa** (Observer for the Fund for the Development of Indigenous Peoples of Latin America and the Caribbean) said that the Fund was an intergovernmental body established by Heads of State and Government in 1992 to contribute to the autonomous development of indigenous peoples in the region and promote their individual and collective rights. An ideal platform for consultation and dialogue, it consisted of 22 member States, of which 19 were from the region and 3 from beyond; and of indigenous representatives for each member State within the region.

134. The Fund had facilitated the drafting of the Ibero-American Action Plan for the Implementation of the Rights of Indigenous Peoples, which was a significant step towards regional coordination and an opportunity to improve historical discordant or strained relationships between indigenous peoples and States in the region.

135. As Co-Chair of the Inter-Agency Support Group on Indigenous Issues, the Fund continued to further implementation of the system-wide action plan for ensuring a coherent approach to achieving the ends of the United Nations Declaration on the Rights of Indigenous Peoples and to improve inter-agency coordination. It was increasingly conscious of the need to appoint a special envoy or special adviser on indigenous peoples to raise awareness of indigenous issues at the United Nations.

136. The Fund worked with indigenous organizations and Governments in many Latin American countries and had helped to establish an indigenous youth platform in the region. It also offered courses to strengthen indigenous leadership and had organized an international seminar on revitalization of indigenous languages in the region.

137. **Mr. Molina Linares** (Guatemala) said that, in July 2017, his Government had adopted an operations guide for consultation with indigenous peoples following a process of participatory dialogue with them. Based on the relevant provisions of ILO Convention No. 169, the guide served as a manual for instructing public institutions on relevant consultation procedures.

138. In the context of the International Year of Indigenous Languages, Guatemala would pursue its efforts to rescue and revitalize the 22 Mayan languages as well as Garifuna and Xinca. His Government was putting the final touches to a specific public policy on indigenous peoples and interculturalism, which would focus on the holistic development of indigenous peoples and respect for their ancestral lifestyles. In addition, the Guatemalan Fund for Indigenous Development fostered the participation of indigenous peoples in development councils.

139. Reaffirming his country's commitment to respect the collective and individual rights of indigenous peoples and to empower them to act in accordance with their own world view, he urged those Member States that had not yet recognized their indigenous peoples to start a dialogue with the relevant stakeholders with a view to fulfilling the United Nations Declaration on the Rights of Indigenous Peoples.

The meeting rose at 1.20 p.m.